

-- 81. (Added) The shark repelling, containerized chemical conglomerate of claim 79 wherein said grouping of water impervious coverings include at least one covering that has a manually opened closure that is insoluble in water and/or at least one covering whose opening hole has no closure. --

REMARKS

Would the examiner please be good enough to call the applicant at 607-625-2645 before issuing an action on this case? Thank you.

Reconsideration of the above-identified patent application is respectfully requested in view of the foregoing amendments and following remarks.

Claims 46 - 70 were canceled. Claims 71 - 81 have been added and remain in the case. No new material has been added.

Claims 1 - 70 have all been canceled as required.

Claims 46 - 49, 51, 52, 54-56 were rejected under U.S.C. 102(b) as being anticipated by Schneider 4917280. Applicant has restated the subject claims in this application to eliminate any perceived conflict with his earlier patent in which he claims a pellet of 50/50 mixed Sodium Lauryl Sulfate with Sodium Sulfate placed into the pockets of a belt that is worn about the user's waist. These pellets or cubes of chemical may also contain white glue as a method of time release to slow the melting of the shark repelling chemicals in the pellet or cube. The cubes or pellets may also be completely coated with this same white glue or with an epoxy. There are major differences between these design teachings of my earlier cited patent and the designs put forth in this current application. These new changes have been discovered by testing in the open sea which testing has been done since the original Schneider patents. The whole concept has moved away from personal protection with the user wearing a belt loaded with these chemicals to individual units of chemical too large for personal wear but proper in size and construction for use with life rafts and life boats. These changes in design cannot be construed as intuitive since significant

open sea testing was necessary to determine these new designs as claimed by this current application. It is evident that the applicant has not only changed the shape of the chemical conglomerate to extend its melting time but eliminated the coatings in favor of coverings made from newer and more effective materials. Also in the claims of this application and in its drawings there is always included in the designs claimed at least one orifice in the covering of the chemical conglomerate that is open or can be opened to the sea water. This was not a feature of the cubes or pellets in my earlier patents. Also in the current claims the applicant discloses other recent findings that a 1/3 to 2/3rds mix of chemicals is more effective for repelling sharks than the 50 - 50 mix which my earlier patent taught. Considering all these new design changes it is obvious that the applicant's claims in this application are new and worthy of protection with a new patent.

Claims 46 - 48 were rejected under U.S.C. 102(b) as being anticipated by Gladfelter et al 5234615. Applicant has restated the subject claims to eliminate the conflict with Gladfelter et al insofar as

Gladfelter claims a sheet or filament of plastic material formed into a bag to encase and contain the pelletized chemicals. This plastic bag, which Gladfelter utilizes to contain the chemicals in pelletized form until they are immersed in water, is not in intimate contact with all the chemicals it contains and so cannot effectively control their dissolution rate after this plastic container bag has been melted and breached by water. Nor does Gladfelter teach such control of melting as a part of their invention. Applicant claims not a loose plastic containment bag but a perforated latex or polyvinyl or polyurethane covering which forms a water insoluble surface for the chemical conglomerate to protect it from the water. In most cases, applicant's chemical conglomerate, as well as being covered, will also be deposited in a shape that is capable of retarding the rate of its melting rather than just being pelletized as in Gladfelter et al. Gladfelter's teaching has the contained pelletized chemical melting immediately after the containment bag has been breached by the water. Applicant's water impervious covering, because it is in intimate contact with the chemical conglomerate, can slow and control the melt

rate of that contained chemical conglomerate so it melts in some instances over a period of days rather than instantaneously as with Gladfelter's disclosed bag.

People in a life raft need constant and lasting chemical protection from shark attack rather than just protection that might last for no more than a few minutes until it has been dispersed in the water. Chemical shark protection that lasts only a few minutes until wave actions carry it away and disperse it into an ineffective concentration cannot be considered to be providing acceptable application. The purpose of applicant's invention is to prevent that very nearly instantaneous melting of the contained chemical. Instead, applicant's teaching prolongs the chemical's melting over a period as long as several days and even a week in some cases when proper covering application procedures are utilized. Open sea testing of applicant's designs as taught in this patent application have proved these coatings and shapes do effectively accomplish just the sort of melting control described herein. Because open sea testing is imperative to prove the usefulness of these

shark repellent devices, there is no possibility that any of the applicant's invention could be considered intuitive to anyone skilled in the art. This applicant has invented not only the objects that effect the art but the very art of successful chemical shark repelling itself.

Claims 71 - 81 have been written with every effort to represent to the subject matter the applicant regards as the invention considering the subject matter presented in the specification and drawings.

In view of the foregoing amendments and remarks, applicant respectfully requests that claims 71 - 81 be allowed, and that the case be passed to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Schneider', written in a cursive style.

David P. Schneider

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Apalachin, New York 13732

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington, D.C. 20231 on December 2, 2003.

A handwritten signature in black ink, appearing to read 'D. Schneider', written in a cursive style.

12/2/03

David P. Schneider

12/2/03



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IN THE DRAWINGS:

Please accept these two complete sets of drawings to replace the unacceptable originals.

IN THE CLAIMS:

Please cancel claims 46 - 70 without prejudice.  
Please add claims 71 - 81, as shown below.

-- 71. (Added) A shark repellent chemical slurry conglomerate deposited into a water impervious covering having at least one orifice, said chemical slurry conglomerate comprising no less than two thirds sodium lauryl sulfate by volume, and no more than one third sodium sulfate by volume.

-- 72. (Added) The shark repelling, containerized chemical conglomerate of claim 71 which includes in its original mixture as much as 50% by volume of a water soluble binder.

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David P. Schneider

12/2/03

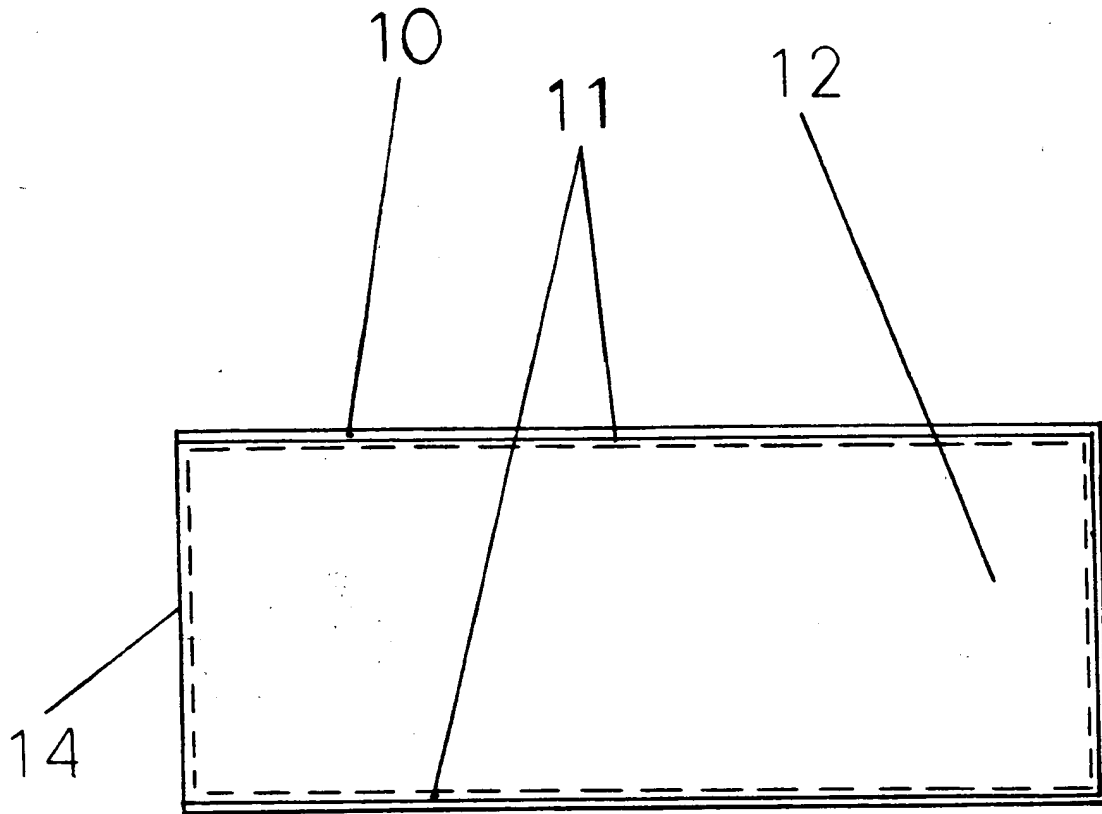


FIG. 1

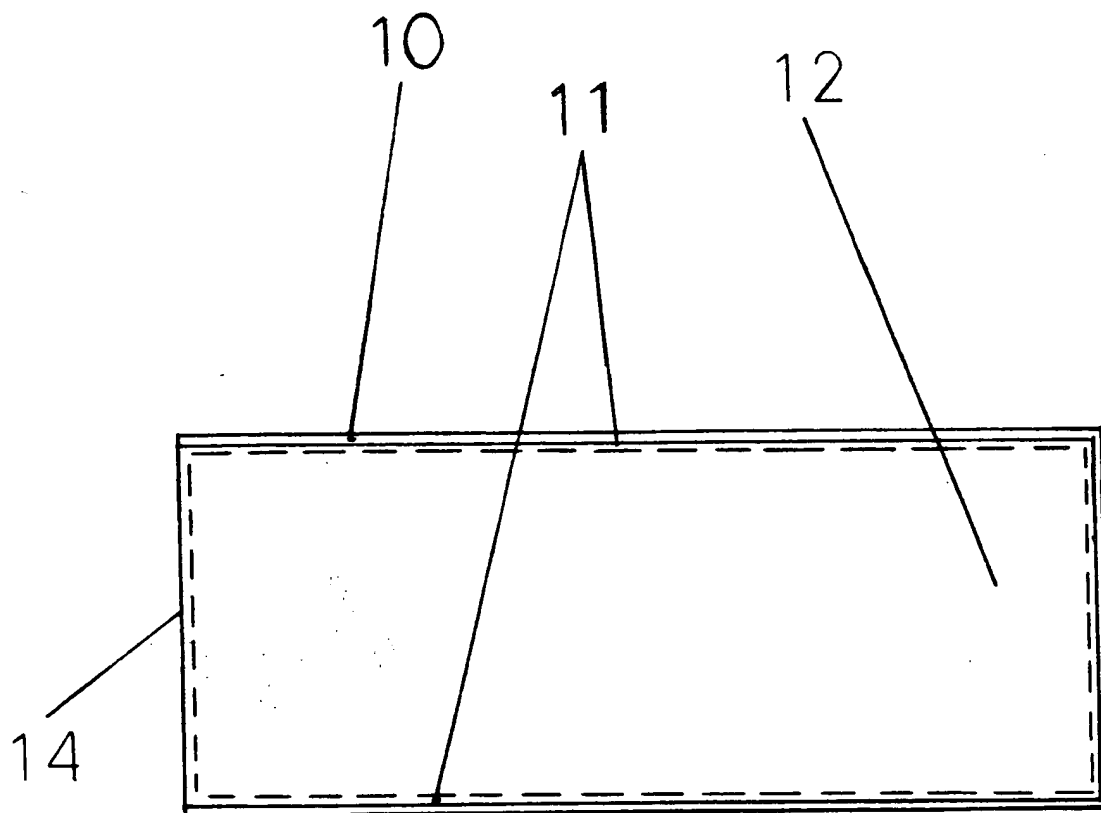


FIG. 1

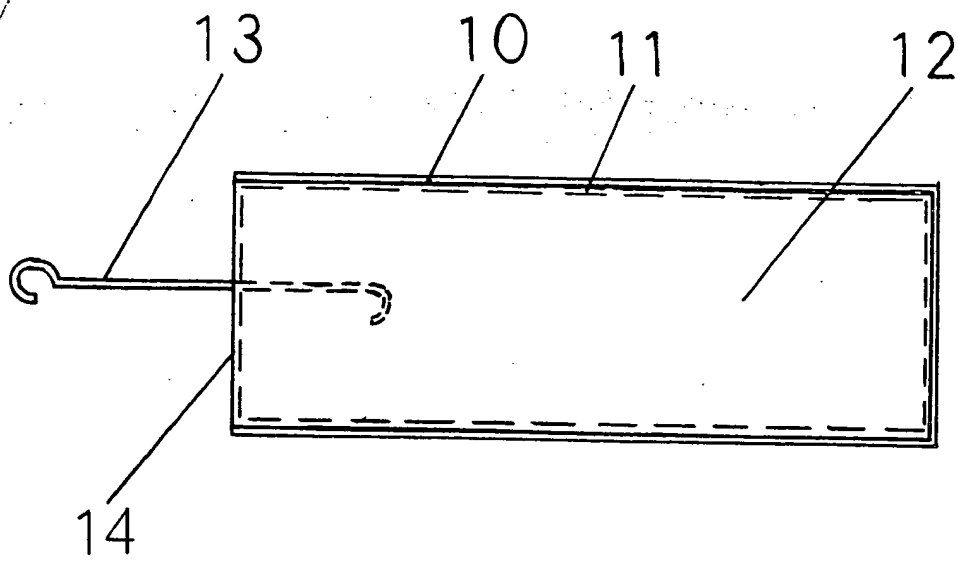


FIG. 2

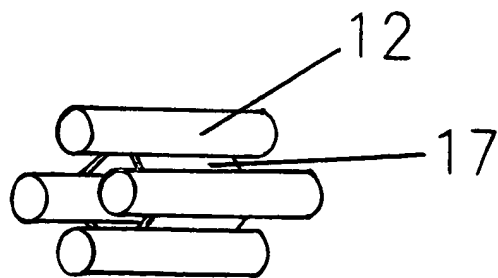


FIG. 3

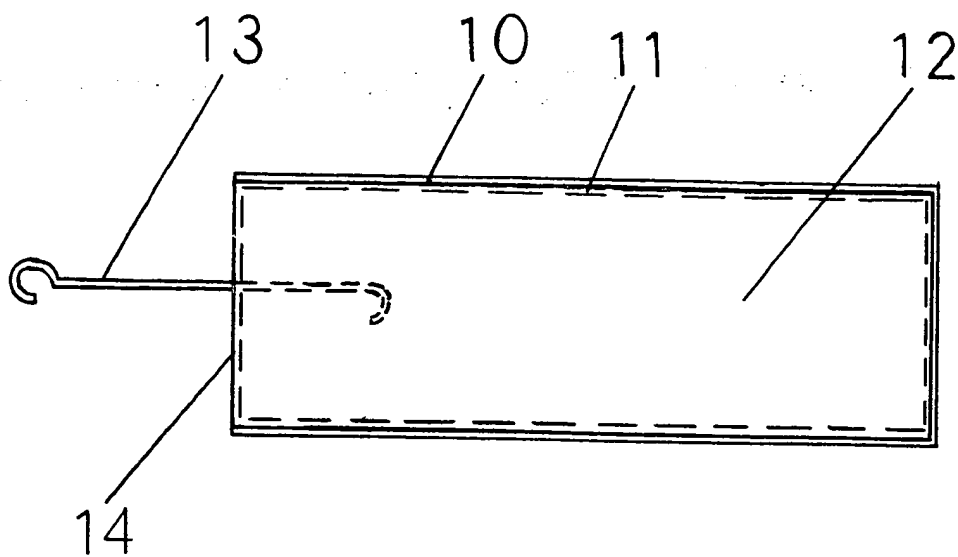
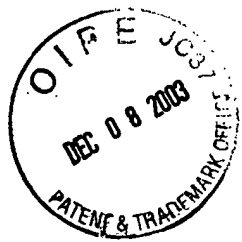


FIG. 2

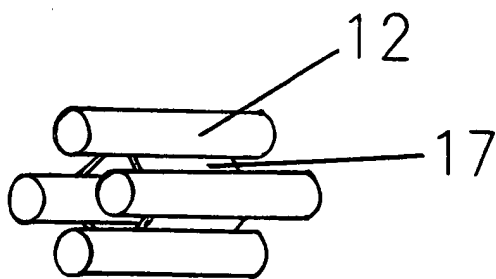


FIG. 3

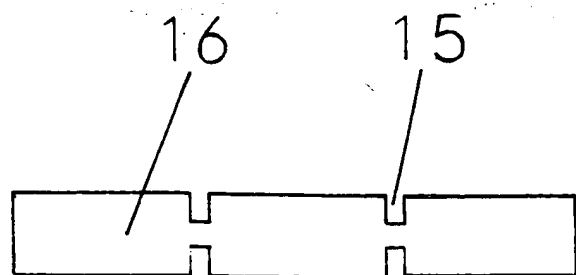


FIG. 4

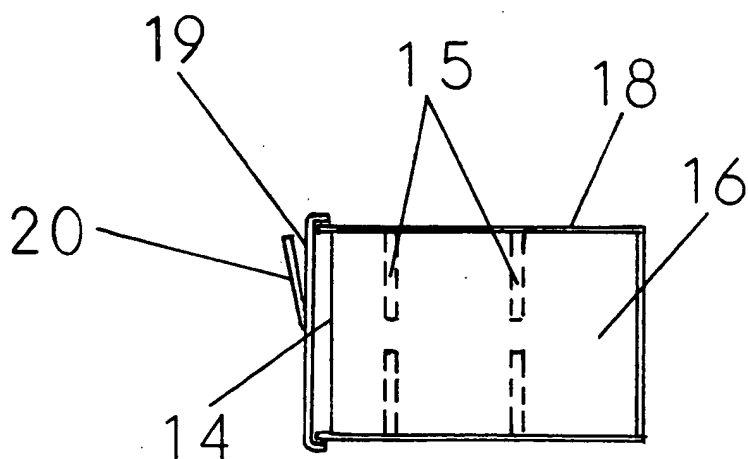


FIG. 5

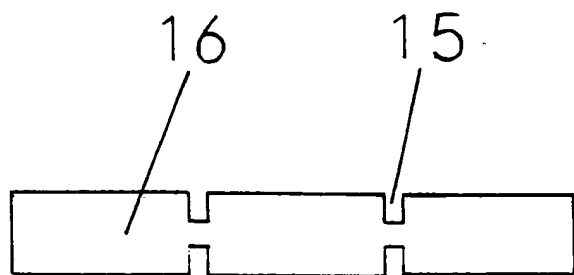
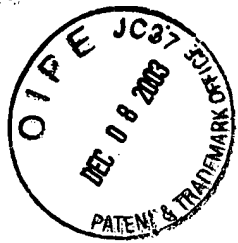


FIG. 4

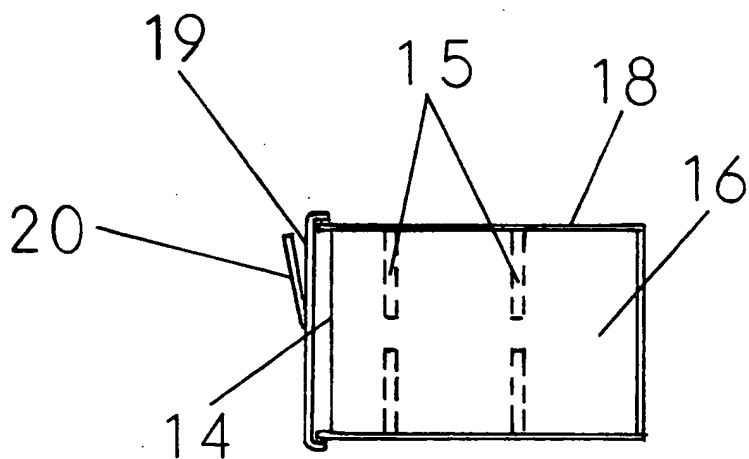


FIG. 5